

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE
MEETING HIGHLIGHTS
Tuesday, June 10, 2014
9:00 a.m.**

Members: Council Member Turner Perrow, Chair, Council Member Joan Foster, Mayor Michael Gillette, ex-officio (It was noted Vice-Mayor Johnson was not in attendance due to administering GED testing).

Staff Present: Kimball Payne, Bonnie Svrcek, Gaynelle Hart, Kevin Henry, Lee Newland, Starlette Early

Others Present: Alicia Petska (News & Advance), Polly Wooldridge (John Stewart Walker, Inc.), Cari Smith (1210 Norvell Street),

Contract Awards:

There was one new contract awarded this month. The contract was awarded at \$40,000 less than budgeted and is part of the normal signal replacement budgeted in the CIP.

Update on Priority Projects:

Mr. Newland provided an update on projects since the last PDC meeting:

- Midtown Connector – 40% complete at Langhorne and Kemper is underway
- One Way Pairs @ 501/221 – New project added; Working on a concept design
- Memorial Park – Lakeside Intersection – bids came in high; elected to pull out City utilities and re-bid
- Old Forest Road Sidewalk – Starting after July 4th; location of walk extends from Subway to Walmart

General Business:

1. ***Vacate a portion of unopened right of way known as New Street located between 2019 and 2101 Elm Street*** — *The dimensions of the proposed vacation are one hundred (100) feet long by thirty (30) feet in width. This section of right-of-way includes overgrown brush and vegetation as well as a significant slope up towards Main Street. The petitioner (Peyton Morgan) is requesting the vacation in order to allow additional space for a dwelling. The adjoining owner at 2101 Elm Street has consented to the petition. This portion of right-of-way currently does not serve as access to any of the adjoining properties and there is no foreseeable use of the right-of-way in the future.*

Mr. Henry presented the petition noting the purpose is to allow more area to fit a house on the narrow lot. The property is located in an older part of the City with steep topographical issues. As Elm Street does not have a cul-de-sac, the City is reserving approximately 20 feet of the right of way area for a turn around.

Ms. Wooldridge (representing the petitioner) indicated the tax assessed value of both lots is \$3,000 each and, given their size and topography, will be extremely difficult to sell either lot by itself. She indicated she will likely try to sell both lots together to a developer such as Habitat for Humanity.

There was discussion regarding the challenges of rehabilitation of older lots in the City, the location of the turn around, and the existing carport structure on the adjacent lot that belongs to a neighbor.

Consensus from the committee was to forward to Council with their recommendation for approval.

2. ***Vacate a portion of unopened right of way known as Craighill Street between 1210 and 1300 Norvell Street*** – *The dimensions of the proposed vacation by petitioner (Cari L. Smith) are one hundred fifty (150) feet long by fifty (50) feet. This section of right-of-way includes a grassed area. The adjoining owner at 1300 Norvell Street has consented to the petition. This portion of right-of-way currently does not serve as access to any of the adjoining properties and the apartment complex, LP Apartments, uses the opposite end of this block of Craighill Street for access.*

Mr. Henry presented the petition, indicating foot traffic and trespassing issues are the premise for this vacation request. Ms. Smith (property owner at 1210) is currently maintaining part of the right of way and plans to construct a fence if vacation is approved.

Ms. Smith noted surrounding neighbors have used the area to dump brush and as a dog walking area without cleaning up after their pets. She has already approached her neighbor about purchasing their portion of the vacated area and plans to enclose it all as private property with a fence and landscaping.

There was discussion about the available entrances to the apartment complex located behind the petitioner's property, connectivity within the neighborhood, and concerns about having only one-way in/out to a property. Mr. Newland responded to questions regarding current usage of the right of way and potential use by the City. It was noted the City did not currently have funding to make improvements and the right of way did not serve to unlock an undeveloped property. TRC did not feel the right of way was needed for future development.

As one of several right of way vacation requests recently brought before PDC, the committee reaffirmed their desire to be mindful of connectivity issues as these are reviewed.

The committee was in favor of recommending approval for this vacation to City Council.

3. ***Vacate right of way known as Boxwood Place in between 2627 and 2701 Old Forest Road and 2730 Confederate Avenue*** – *The petitioner (CDDI Development Group LLC) is requesting the vacation in conjunction with a rezoning petition for the property located at 2627 Old Forest Road. If approved the vacated right-of-way would facilitate the construction of an entrance drive and parking to support a proposed banquet / event center. The right-of-way does not serve as access to any property and has no foreseeable public use.*

Mr. Henry presented the petition and indicated the vacation was being proposed as part of a property rezoning request located in a local historic district. The property is known as Locus Thicket and the area proposed to be vacated would serve as an entrance drive and parking for a proposed banquet/event center.

Mayor Gillette cautioned that the approval for this right of way vacation should not be perceived as an advance approval for the rezoning request. Mr. Henry confirmed the related rezoning petition is scheduled to be heard by City Council at the same time as the right of way vacation. Council Member Perrow suggested the petition be moved forward to Council without a recommendation from PDC. It would be noted PDC had reviewed the petition, but would allow both the rezoning and right of way vacation to be considered together by City Council. The PDC members concurred with this suggestion.

Roll Call:

Council Member Perrow inquired about the City's sidewalk extension policy and whether this was being addressed within the new zoning ordinance discussion. Mr. Newland indicated the policy related to reimbursement to developers was still being reviewed by staff and he hoped to bring back to PDC at either their July or August meeting.

Council Member Perrow also addressed his concern regarding the timing of the signal light at King Street. He noted the protective green to turn left (coming from the opposite direction) seemed to be causing the problem.

Next meeting: July 8, 2014